

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALVIN DWAYNE FRAZIER, SR.

Plaintiff,

Case No. 20-cv-11105

Hon. Matthew F. Leitman

v.

HEIDI WASHINGTON, *et al.*,

Defendants.

**ORDER (1) ADOPTING RECOMMENDED DISPOSITION OF
REPORT AND RECOMMENDATION (ECF No. 79) AND
(2) GRANTING DEFENDANTS' MOTIONS FOR SUMMARY
JUDGMENT (ECF Nos. 49, 54, 66)**

Plaintiff Alvin Dwayne Frazier, Sr. is a state prisoner in the custody of the Michigan Department of Corrections (the "MDOC"). In this action, Frazier brings a *pro se* civil-rights Complaint against various employees and contractors of the MDOC. (*See* Compl., ECF No. 1; Am. Compl., ECF Nos. 6, 7.) Frazier alleges, among other things, that he was served poor quality prison meals, he was discriminated and retaliated against, and certain Defendants improperly handed his legal mail. (*See id.*)

Defendants have now moved for summary judgment. (*See* Mots., ECF Nos. 49, 54, and 66.) On January 20, 2022, the assigned Magistrate Judge issued a report and recommendation in which he recommended that the Court grant Defendants'

motions (the “R&R”). (*See* R&R, ECF No. 79.) The Magistrate Judge further recommended that the Court dismiss Frazier’s claims against Defendant Heidi Washington due to Frazier’s failure to exhaust those claims. (*See id.*, PageID.782.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of his recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.970-971.)

Frazier has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). Likewise, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed’n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Frazier has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge’s recommended disposition of Defendants’ motions is **ADOPTED**.

IT IS FURTHER ORDERED that:

- Defendants’ motions for summary judgment (ECF Nos. 49, 54, and 66) are **GRANTED**; and

- Frazier's claim against Defendant Washington is **DISMISSED WITH PREJUDICE.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 24, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 24, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126